

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

REISSUE OF U.S. PATENT NO. 5,⁹~~969~~,948

NAME OF PATENTEE: ROBERT SKVORECZ

ISSUED: DECEMBER 7, 1999

TITLE OF INVENTION: WIRE CHAFING STAND

REISSUE DECLARATION BY THE PATENTEE

Assistant Commissioner of Patents
& Trademarks
Washington, DC 20231

S I R:

As the sole owner and patentee of the entire interest, I hereby declare that:

(1) I verily believe I am the only inventor of the subject matter which is described and claimed in said patent for which a reissue patent is sought on the invention entitled WIRE CHAFING STAND, the specification of which is attached hereto.

(2) I have reviewed and understand the contents of the specification, including the claims as required under 37 CFR 1.63.

(3) I verily believe the original patent to be wholly or partly inoperative or invalid by reason of my claiming less than I had a right to claim in the patent.

(4) That the error upon which this reissue is based relates to the inclusion in claims 1 and 3 of an unnecessary limitation which restrict the claims to a wire chafing stand having both an upper and lower rim and to the use of the term "plurality" before "wire legs" which may be improperly construed to represent "four" wire legs corresponding to the number shown in the drawings.

(5) That through error and without deceptive intent, the original patent is defective and that claims 1 and 3 should be broadened to read as follows:

1. A wire chafing stand comprising a first [an upper] rim of wire steel which forms a closed geometrical configuration circumscribing a first surface area, [a lower rim of wire steel forming a closed geometrical configuration circumscribing a second surface area with said first surface area being larger than said second surface area] and having at least two [a plurality of] wire legs with each wire leg having two upright sections interconnected to one another [at a location below the lower rim] in a configuration forming a base support for the stand to rest upon with each upright section extending upwardly from said base support to form an angle equal to or greater than 90° with respect to a horizontal plane through said base support and being affixed to the first [upper] rim adjacent one end thereof [and to said lower rim at a relatively equal distance below the point of attachment to said upper rim] and further comprising a plurality of offsets located either in said upright sections of said wire legs or in said first [upper] rim for laterally displacing each wire leg relative to said first [upper] rim to facilitate the nesting of a multiplicity of stands into one another without significant wedging.

3. A wire chafing stand as defined in claim 7 [2] wherein said first and second rim [upper and lower rims] form a geometry selected from the class consisting of square, oval and rectangular configurations.

(6) Please add new claim 7 as follows:

7. (New) A wire chafing stand as defined in claim 1 further comprising a second rim of wire steel located below said first rim with said second rim circumscribing a second surface area smaller than said first surface area and with said upright sections being affixed to said second rim at a relatively equal distance below their attachment to the first rim.

(7) That the error of patentee of claiming less than he had a right to claim was made without any deceptive intention on the part of the applicant and that the prosecution of the patent was conducted without an awareness of this error.

(8) That applicant became aware of the error as a result of a recent discussion with applicant's attorney regarding the scope of claim 1.

(9) That the limitation in claims 1 and 3 specifying both an upper and lower rim was not a consideration in the patentability of these claims. Instead, patentability was based upon the requirement that each of the wire legs have two upright sections which interconnect to form a base support for the stand and that each upright section extends upwardly from the base support to form an angle equal to or greater than 90° with respect to a horizontal plane through the base support as well as the additional limitation of a plurality of offsets located either in the upright sections or in the rim to facilitate nesting of a multiple number of wire chafing stands into one another. No significance was attributed to the number of wire legs or to an upper and lower rim in the specification or during the prosecution. New claim 7 recites the limitations omitted from claim 1.

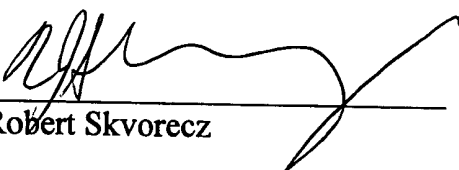
(10) I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

(11) That the present reissue application is being filed to permit applicant to secure maximum protection to which applicant is entitled.

(12) Applicant hereby offers to surrender the original Letters Patent No. 5,969,948 in accordance with 37 CFR 1.178.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

January 24 '2001
Date


Robert Skvorecz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

ROBERT SKVORECZ

DOCKET NO.: 4336

REISSUE OF U.S. PATENT NO. 5,996,948

FOR: WIRE CHAFING STAND

PETITION FOR REISSUE AND POWER OF ATTORNEY

Assistant Commissioner of Patents
& Trademarks
Washington, DC 20231

S I R:

The undersigned, as Patentee and sole owner of the entire interest in the above-identified Letters Patent for WIRE CHAFING STAND, U.S. Patent No. 5,969,948, which issued on December 7, 1999, hereby petitions to reissue said Letters Patent under 35 USC 251 and 37 CFR 1.172 to enlarge the scope of the claims of the original patent. The undersigned offers to surrender said Letters Patent in favor of the reissue application.

The applicant hereby appoints Eugene Lieberstein, Registration No. 24,645 and Michael N. Meller, Registration No. 20,779 of the law offices of Anderson, Kill & Olick, 1251 Avenue of the Americas, New York, New York 10020-1182, as their attorneys with full power of substitution and revocation to prosecute the application, to receive the patent and to transact all business in the United States Patent and Trademark Office connected therewith.

Date June 23 '2001

Robert Skvorecz

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